

STEVEN L. HAMMOND (SBN 220521)
Hammond Law Group, P.C.
One Embarcadero Center, Suite 2360
San Francisco, California 94111
Telephone: (415) 955-1915

DAVID HARRIS (SBN 215224)
North Bay Law Group
116 E Blithedale Avenue, Suite 2
Mill Valley, CA 94941
Telephone: (415) 388-8788

Attorneys for Plaintiff
DONALD LOUNIBOS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONALD LOUNIBOS, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

KEYPOINT GOVERNMENT
SOLUTIONS, INC., a Delaware
Corporation, and Does 1-10, inclusive,

Defendants.

Case No. 12-CV-0636 (JST)

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING PLAINTIFF'S DEADLINE
TO FILE NEW MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Assigned to Honorable Jon S. Tigar
450 Golden Gate Avenue
San Francisco, CA 94102

STIPULATION

The parties hereby stipulate as follows:

WHEREAS, on July 12, 2013, the Court issued an Order Denying Motion for Preliminary Approval of Class Action Settlement (docket number 45). In particular, the July 12, 2013 Order, stated, “Lounibos’ motion for preliminary approval of the proposed settlement is denied without prejudice. Lounibos may file a new motion for preliminary approval of the proposed settlement that cures each of the deficiencies identified in this Order within sixty days of the date this order is filed. A case management conference will be held on October 2, 2013 at 2:00 p.m.”

WHEREAS, on November 18, 2013, the Court entered an Order continuing Plaintiff’s Deadline to File New Motion for Preliminary Approval of Class Action Settlement. Pursuant to the November 18, 2013, Order, Plaintiff’s current deadline to file a new Motion is December 5, 2013;

WHEREAS, the parties have come to agreement on all material terms to a modified settlement that the parties believe address all of the issues set forth in the Court’s July 12, 2013 Order, including, without limitation, a non-reversionary settlement and a revised class definition and class period. Additionally, in order to address the Court’s concern regarding class members potentially receiving preferential treatment in the distribution of the settlement proceeds, as specifically addressed in the Court’s July 12, 2013 Order, the parties are in the process of gathering and analyzing each potential class member’s regular, overtime and double time earnings for the revised class period in order to ensure that the proposed distribution of settlement funds are shared proportionally based on each class member’s actual wages earned; and

WHEREAS, in order to allow the parties to finalize and enter into the amended settlement agreement and to obtain and analyze the class members’ earnings data for the revised class period, the parties request a seven (7) day extension of the current deadline to file a new motion for preliminary approval of class action settlement.

WHEREAS, in light of the fact that the Motion for Preliminary Approval is unopposed, a full 35-day notice period is unnecessary;

IT IS THEREFORE STIPULATED AND AGREED that Plaintiff shall file a new Motion for Preliminary Approval of Class Action Settlement, which addresses the deficiencies set forth in the Court’s July 12, 2013 Order, on or before December 12, 2013. The hearing on the Motion for

1 Preliminary Approval of Class Action Settlement shall take place on January 9, 2014, at 2:00 P.M. in
2 Courtroom 9.

3 **IT IS SO STIPULATED.**

4
5 Date: November 27, 2013

Respectfully submitted,

NORTH BAY LAW GROUP

6
7 By /s/
David Harris

8 Attorneys for Plaintiffs
9 DONALD LOUNIBOS

10 Date: November 27, 2013

LITTLER MENDELSON, P.C.

11
12 By /s/
Karin Cogbill

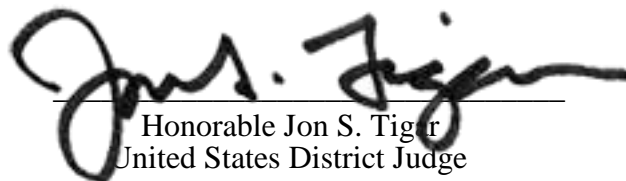
13 Attorneys for Defendants
14 KEYPOINT GOVERNMENT SOLUTIONS, INC.

15 **~~[PROPOSED]~~ ORDER**

16 **IT IS HEREBY ORDERED AS FOLLOWS:**

17 Plaintiff shall file a new Motion for Preliminary Approval of Class-Action Settlement on or
18 before December 12, 2013. The hearing on the Motion for Preliminary Approval shall take place on
19 January 9, 2014, at 2:00 P.M. in Courtroom 9.

20
21 DATED: December 2, 2013

22 
Honorable Jon S. Tiger
United States District Judge